EXHIBIT 11

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Bahr, Robert

From: Morse, Gregory
Sent: Wednesday, February 07, 2007 4:55 PM
To: Dougherty, Elizabeth; Bahr, Robert
Cc: Rolla, Joseph (Contractor)
Subject: RE: Claims in CONs, CIPs, issues in 2006

Applications that later have CONs/CIPs filed from them tend to have more claims initially. This says that applicants won't disproportionately file CONs/CIPs to get extra claims if we change the rules - they're already doing that. In FY 2006, all filings averaged 20.5 claims; all cases that were the parent of a CON or CIP filed in 2006 (parent probably filed before 2006) averaged 29.0 claims.

For utility patents, 79% had 25 or fewer total claims at time of issue. 86% had 30 or fewer at time of issue, and 93% had 40 or fewer. 7% had more than 40 total claims.

-----Original Message-----
From: Dougherty, Elizabeth
Sent: Wednesday, February 07, 2007 4:40 PM
To: Morse, Gregory; Bahr, Robert
Subject: RE: Claims in CONs, CIPs, issues in 2006

Can you turn this data into bullets points (with accompanying explanatory verbage) for me while I modify the rest of the document?

-----Original Message-----
From: Morse, Gregory
Sent: Wednesday, February 07, 2007 4:39 PM
To: Dougherty, Elizabeth; Bahr, Robert
Subject: Claims in CONs, CIPs, issues in 2006

For all cases filed in 2006, the average number of independent claims was 2.9 and the average number of total claims was 20.5.

For the cases filed in 2006 as CONs or CIPs, the average number of claims ****in the parent case at filing of the parent case**** was 3.9 independent and 29.0 total. The

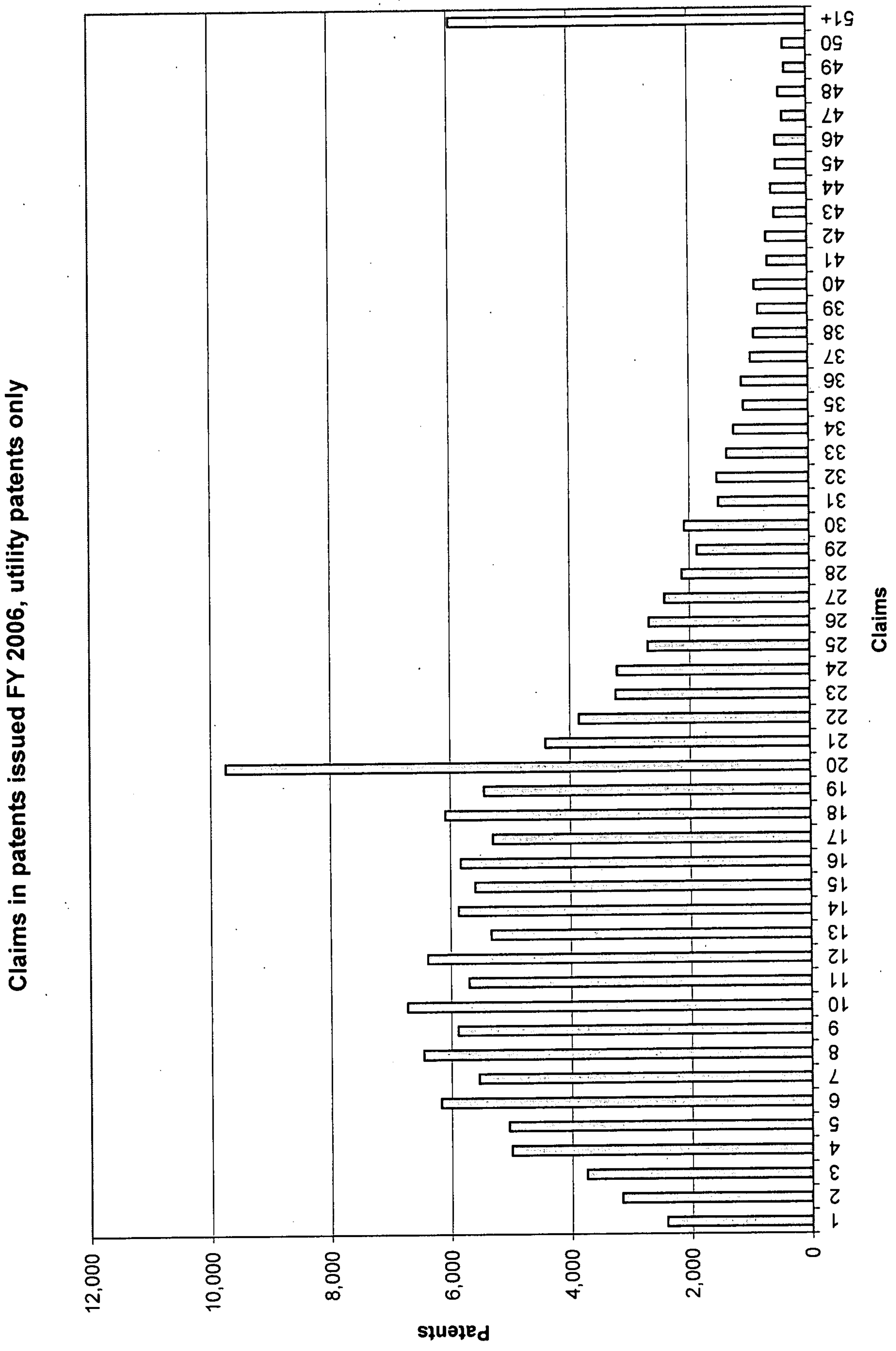
Issued Claims in Utility Patents (PALM Data, FY2006 issues)

Summary:	
1-20	68.5%
1-25	79.3%
1-30	86.1%
1-40	93.2%
40+	6.8%

Total Claims Issued	Cases with Claims	% of Total	Cumulative Percent of Total
1	2,427	1.5%	1.5%
2	3,172	2.0%	3.4%
3	3,751	2.3%	5.8%
4	5,001	3.1%	8.8%
5	5,041	3.1%	11.9%
6	6,169	3.8%	15.7%
7	5,537	3.4%	19.1%
8	6,458	4.0%	23.1%
9	5,884	3.6%	26.7%
10	6,722	4.1%	30.9%
11	5,696	3.5%	34.4%
12	6,387	3.9%	38.3%
13	5,321	3.3%	41.6%
14	5,862	3.6%	45.2%
15	5,587	3.4%	48.6%
16	5,828	3.6%	52.2%
17	5,285	3.3%	55.5%
18	6,078	3.7%	59.2%
19	5,432	3.3%	62.5%
20	9,749	6.0%	68.5%
21	4,409	2.7%	71.3%
22	3,846	2.4%	73.6%
23	3,242	2.0%	75.6%
24	3,212	2.0%	77.6%
25	2,705	1.7%	79.3%
26	2,685	1.7%	80.9%
27	2,420	1.5%	82.4%
28	2,129	1.3%	83.7%
29	1,866	1.1%	84.9%
30	2,081	1.3%	86.1%
31	1,507	0.9%	87.1%
32	1,533	0.9%	88.0%
33	1,366	0.8%	88.8%
34	1,248	0.8%	89.6%
35	1,082	0.7%	90.3%
36	1,113	0.7%	91.0%
37	960	0.6%	91.6%
38	901	0.6%	92.1%
39	826	0.5%	92.6%
40	889	0.5%	93.2%
41	663	0.4%	93.6%
42	686	0.4%	94.0%
43	545	0.3%	94.3%
44	596	0.4%	94.7%
45	519	0.3%	95.0%
46	520	0.3%	95.3%
47	406	0.2%	95.6%
48	464	0.3%	95.9%
49	361	0.2%	96.1%
50	386	0.2%	96.3%

Total Claims Issued	Cases with Claims	% of Total	Cumulative Percent of Total
51	336	0.2%	96.5%
52	334	0.2%	96.7%
53	271	0.2%	96.9%
54	295	0.2%	97.1%
55	222	0.1%	97.2%
56	237	0.1%	97.4%
57	238	0.1%	97.5%
58	199	0.1%	97.6%
59	182	0.1%	97.8%
60	217	0.1%	97.9%
61	151	0.1%	98.0%
62	161	0.1%	98.1%
63	135	0.1%	98.2%
64	148	0.1%	98.3%
65	115	0.1%	98.3%
66	130	0.1%	98.4%
67	128	0.1%	98.5%
68	131	0.1%	98.6%
69	116	0.1%	98.6%
70	107	0.1%	98.7%
71	112	0.1%	98.8%
72	122	0.1%	98.9%
73	68	0.04%	98.89%
74	60	0.04%	98.93%
75	72	0.04%	98.97%
76	77	0.05%	99.02%
77	53	0.03%	99.05%
78	75	0.05%	99.10%
79	67	0.04%	99.14%
80	65	0.04%	99.18%
81	53	0.03%	99.21%
82	54	0.03%	99.25%
83	42	0.03%	99.27%
84	45	0.03%	99.30%
85	38	0.02%	99.32%
86	37	0.02%	99.35%
87	38	0.02%	99.37%
88	42	0.03%	99.40%
89	26	0.02%	99.41%
90	45	0.03%	99.44%
91	38	0.02%	99.46%
92	31	0.02%	99.48%
93	22	0.01%	99.50%
94	33	0.02%	99.52%
95	21	0.01%	99.53%
96	24	0.01%	99.54%
97	27	0.02%	99.56%
98	19	0.01%	99.57%
99	22	0.01%	99.59%
100+	674	0.41%	100.00%
TOTAL ISSUED	162,508	100.00%	

(162509 in annual report)


Claims in patents issued FY 2006, utility patents only
Patents
Claims
0
2,000
4,000
6,000
8,000
10,000
12,000
1
2
3
4
5
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